

REMARKS

Claims 1-26 are pending in the present application.

The Examiner has required election in the present application between:

Group I, claims 1-22, drawn to a chemical compound and a pharmaceutical composition of formula (I), which may be further restricted based upon the radicals, Ar¹, Ar², L, A, and B;

Group II, claims 23-26, drawn to a method for the treatment of a disease or a disorder or condition responsive to modulation of SK_{ca} and/or IK_{ca} channels, using a chemical compound of formula (I) which may be further restricted based upon the radicals, Ar¹, Ar², L, A, and B;

Group III, claims 23-26, drawn to a method for the prevention of a disease or a disorder or condition responsive to modulation of SK_{ca} and/or IK_{ca} channels, using a chemical compound of formula (I) which may be further restricted based upon the radicals, Ar¹, Ar², L, A, and B; and

Group IV claims 23-26, drawn to a method for the alleviation of a disease or a disorder or condition responsive to modulation of SK_{ca} and/or IK_{ca} channels, using a chemical compound of formula (I) which may be further restricted based upon the radicals, Ar¹, Ar², L, A, and B.

For the purpose of examination of the present application, Applicants elect, with traverse, Group I, Claims 1-22. Applicant respectfully requested rejoinder of the claims of Groups I-IV, which are directed to methods of using the compounds and compositions of elected group I under 35 U.S.C. §103(b), upon of a finding of novelty and unobviousness of the elected compound and composition (i.e. product) claims.

The Examiner further requires an election of species based on the identity of each of Ar¹, Ar², L, A, and B. **For purposes of an initial search, Applicants elect the species “3-cyano-3,3-bis-(4-fluoro-phenyl)-propionic acid”, which is the second listed compound of claim 13.** However, upon a finding that the elected species is novel and unobvious, the search and examination should be expanded to a reasonable number of other species.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact MaryAnne Armstrong, Ph.D. Registration No 40,069, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

- Attached is a Petition for Extension of Time.
- Attached hereto is the fee transmittal listing the required fees.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: **MAY 14 2008** Respectfully submitted,

By 
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